

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ZINUS, INC.,

Plaintiff,

v.

SIMMONS BEDDING CO and
DREAMWELL LTD,

Defendants.

Case No.: C07-3012 PVT

**CASE MANAGEMENT
CONFERENCE ORDER**

On December 11, 2007, the parties appeared before Magistrate Judge Patricia V. Trumbull for a Case Management Conference. Based on the parties' Joint Case Management Statement, and the discussions held at the Case Management Conference,

IT IS HEREBY ORDERED that the court adopts the parties' statement of disputed factual and legal issues as set forth in the Case Management Conference Statement.

IT IS FURTHER ORDERED that the deadline for joinder of any additional parties, or other amendments to the pleadings, is sixty days after entry of this order.

IT IS FURTHER ORDERED that the presumptive limits on discovery set forth in the Federal Rules of Civil Procedure shall apply in this case.

IT IS FURTHER ORDERED that the parties have previously been ordered to participate in a judicial settlement conference and have participated in a settlement conference in front of

Judge Lloyd. The parties shall follow up with Judge Lloyd in setting a further settlement conference as needed.

IT IS FURTHER ORDERED that the following schedule shall apply to this case:

Preliminary Infringement Contentions January 4, 2008

Preliminary Invalidity Contentions February 20, 2008

Exchange of Proposed Terms and Claim Elements for Construction March 3, 2008

Exchange of Preliminary Claim Constructions and Extrinsic Evidence . . March 17, 2008

Joint Claim Construction and Prehearing Statement April 11, 2008

Close of Claim Construction Discovery including Experts May 12, 2008

Claim Construction Prehearing Conference May 20, 2008

Dreamwell's Opening Claim Construction Brief May 26, 2008

Zinus' Responsive Claim Construction Brief June 9, 2008

Dreamwell's Reply Claim Construction Brief June 16, 2008

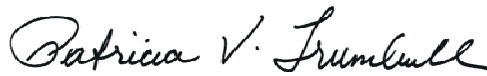
Claim Construction Hearing July 8, 2008

Trial

IT IS FURTHER ORDERED that Zinus is granted leave to file a motion for reconsideration of the Order denying Zinus' Motion for Summary Judgment of Non-Infringement.

IT IS HEREBY ORDERED that the parties shall comply with the Standing Order for Civil Practice in Cases Assigned for All Purposes to Magistrate Judge Patricia V. Trumbull (rev. 1/5/06), a copy of which is available from the clerk of the court,¹ with regard to the timing and content of the Joint Pretrial Statement, and all other pretrial submissions.

Dated: December 12, 2007



PATRICIA V. TRUMBULL
United States Magistrate Judge

¹ A copy of Judge Trumbull's standing order is also available on the court's website at www.cand.uscourts.gov by clicking first on the "Judges" button, then on Judge Trumbull's name, then on the "Magistrate Judge Trumbull's Standing Orders" link, and finally on the bullet for "Mag Judge Trumbull's General Order for all purposes (01/5/06)."